DICTIVED

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Docket No. 47728 (71699)

TECH CLIMER 1600/2000

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: Eduardo Marban

U.S.S.N.: 09/187,669

Art Unit: 1643

FILED:

November 5, 1998

Examiner: Not Assigned

FOR: SOMATIC TRANSFER OF MODIFIED GENES TO PREDICT DRUG EFFECTS

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as Express Mail Label <u>EL 789784005 US</u> in an envelope addressed to Assistant Commissioner for Patents, Washington, D.C. 20231 on <u>UCtour</u> 31, 2001

By:

Annemarie Serrecchia

SUBMISSION OF "SEQUENCE LISTING," COMPUTER READABLE COPY, AND/OR AMENDMENT PERTAINING THERETO FOR BIOTECHNOLOGY INVENTION CONTAINING NUCLEOTIDE AND/OR AMINO ACID SEQUENCE

(check and complete this item, if applicable)

1.	[X]	This replies to the Office Letter DATED
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10/10/01

NOTE: If these papers are filed before the office letter issues, adequate identification of the original papers should be made, e.g., in addition to the name of the inventor and title of invention, the filing date based on the "Express Mail" procedure, the serial number from the return post card or the attorney's docket number added.

[X] A copy of the Office Letter is enclosed.

IDENTIFICATION OF PERSON MAKING STATEMENT

2. I, Peter F. Corless

(type or print name of person signing below)

state the following:

ITEMS BEING SUBMITTED

3.	Submitted herewith is/are						
	(check each item as applicable)						
	A. [X] "Sequence Listing(s)" for the nucleotide and/or amino acid sequence(s) in th application. Each "Sequence Listing" is assigned a separate identifier as required in 37 C.F.R. § 1.821(a and 37 C.F.R. §§ 1.822 and 1.823.						
sequer	B. [] nce by use of the	An amendment to the desc assigned identifier, as requir	ription and/or claims, where red in 37 C.F.R. § 1.821(d).	in reference is made to the			
readab	C. [X] A copy of each "Sequence Listing" submitted for this application in compute adable form, in accordance with the requirements of 37 C.F.R. §§ 1.821(e) and 1.824.						
compu	D. [] iter readable cop		lication, in accordance with application identified as follows:				
		In re application of: Application No.: 0 / Filed: For:		Group No.: Examiner:			
Identif	-	readable form(s) of applic plication as follows:	ant's other application corre	esponds to the "Sequence			
-	uter Readable Fo application)	rm	"Sequence Identifier" (this application)				
applicat lieu of f making	ion of the applicant iling a duplicate con	on file in the Office, reference ma nputer readable form in the new a	on is to be identical with the comp ybe made to the other application application. The new application sh readable form, both of which sha	and computer readable form in hall be accompanied by a letter			
compu		A statement that the conto	ent of each "Sequence Listi 37 C.F.R. § 1.821(g).	ng" submitted and each			
before	the Office, the S	[] Because the statemate tatement is verified as require	nent is not made by a persected in 37 C.F.R. § 1.821(b).	on registered to practice			
1.8216	F. [X]	Because this submission is at the submission includes n	made in fulfilling the require	rement under 37 C.F.R. §			

Office,	the state	[] ement is	Because the statement is not made by a person registered to practice before the verified, as required in 37 C.F.R. § 1.821(g).
	A		STATEMENT THAT "SEQUENCE LISTING" ND COMPUTER READABLE COPY ARE THE SAME THAT PAPERS SUBMITTED INCLUDES NO NEW MATTER
4.	I hereb	y state:	
	(compl	lete appli	icable item A and/or B)
request	A. ted to be it is indi	[X] e transfe cated to	Each computer readable form submitted in this application, including those forms rred from applicant's other application, is the same as the "Sequence Listing" to relate.
from a	B. pplicant	[X] s' other a	All papers accompanying this submission, or for which a request for transfer pplication, introduce no new matter.
	STAT	US	
5.	Applic	ant is	
	[X]	a small	entity. A statement:
		[]	is attached.
		[X]	was already filed.
	[]	other tl	nan a small entity.
			•

EXTENSION OF TERM

6.

NOTE: "Extension of Time in Patent Cases (Supplement Amendments) If a timely and complete response has been filed after a Non-Final Office Action, an extension of time is not required to permit filing and/or entry of an additional amendment after expiration of the shortened statutory period.

If a timely response has been filed after a Final Office Action, an extension of time is required to permit filing and/or entry of a Notice of Appeal or filing and/or entry of an additional amendment after expiration of the shortened statutory period unless the timely-filed response placed the application in condition for allowance. Of course, if a Notice of Appeal has been filed within the shortened statutory period, the period has ceased to run." Notice of Dec. 10, 1985 (1061 O.G. 34-35).

7. The proceedings herein are for a patent application and the provisions of 37 C.F.R. § 1.136 apply.							
	(complete (a) or (b) as applicable)						
C.F.R.	(a) § 1.17(a	[] Applic a)(1)-(4)) for the	ant petitions for an ex total number of months	tensions chec	on of time was the contract of	under 37 C.F.R. § 1.136 (fees: 37	
		Extension Fee for other than Fee for (months) small entity small entity					
	[] [] []	one month two months three months four months	\$110.00 \$380.00 \$870.00 \$1,360.00	\$ \$	55.00 190.00 435.00 680.00		
			Fee	\$			
If an additional extension of time is required, please consider this a petition therefor. (check and complete the next item, if applicable) [] An extension for months has already been secured, and the fee paid therefor							
of \$ _	of \$ is deducted from the total fee due for the total months of extension now requested.						
	Extens	sion fee due with	n this request \$	-			
OR							
(b) [X] Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.							
FEE PAYMENT							
8.	[]	Attached is a Charge Accor	check in the sum of \$ unt No.		the s	sum of \$	
	A duplicate of this transmittal is attached.						
FEE DEFICIENCY							

^{9.} NOTE: If there is a fee deficiency and there is no authorization to charge an account, additional fees are necessary to cover the additional time consumed in making up the original deficiency. If the maximum, six-month period has expired before the deficiency is noted and corrected, the application is held abandoned. In those instances where authorization to charge is included, processing delays are encountered in returning the papers to the PTO finance Branch in order to apply these charges prior to action on the cases. Authorization to charge the deposit account for any fee deficiency should be checked. See the Notice of April 7, 1986, 1065 O.G. 31-33.

10. [X] If any additional extension and/or fee is required, charge Account No. 04-1105

SIGNATURE(s) Oct 30, 2001 Peter F. Corless (Reg. 33,860) Attorney for Applicants **EDWARDS & ANGELL, LLP** P.O. Box 9169 Boston, MA 02209 [] Inventor Assignee of complete interest Person authorized to sign on behalf of assignee [] Tel. No.: (617) 439-4444 [X] Practitioner of record Reg. No. 33,860 [] Filed under Rule 34(a) [] Registration No. Other

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